

# SENTENCING MINUTES

DATE: APRIL 22, 2021

CASE NUMBER: 4:19CR0047-2(DJN)

JUDGE: Novak

CT REPORTER: Tracy Stroh, OCR

INTERPRETER: JOHNNIE BENNINGFIELD, SPANISH

UNITED STATES OF AMERICA

Kevin P. Hudson, AUSA

v.

Barreto

COUNSEL

IBAN HERNANDEZ

GREGORY K. MATTHEWS, ESQ.

SENTENCING ON COUNT(S): 2 ☒ Criminal Information THIRD  
☒ Indictment ☒ Superseding Ind.

PRELIMINARY MATTERS: NO OBJECTIONS TO PSR

OBJECTIONS TO PSR: ADOPTED

STATEMENTS MADE BY: GOV'T ☒ DEFENSE COUNSEL ☒ DEFT ☒

ON MOTION OF GOV'T, ☐ INDICTMENT ☒ REMAINING CTS. DISMISSED.

DEFENDANT TO VOLUNTARILY REPORT TO DESIGNATED INSTITUTION

ON: \_\_\_\_\_ BY: \_\_\_\_\_  
☐ IF NO DESIGNATION MADE, REPORT TO U.S. MARSHAL IN RICHMOND

DEFT ADVISED OF RIGHT OF APPEAL within 14 days of today ☒

DEFT REMANDED TO CUSTODY ☒

CASE SET: 12:00 BEGAN: 11:58 ENDED: 12:32 TIME IN COURT: 30

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SENTENCE TEXT

COUNT 2 IMPRISONMENT 114 MOS. CONCURRENT ( ) CONSECUTIVE ( )  
CREDIT FOR TIME SERVED ON THIS CHARGE ( ☒ )  
SUPERVISED RELEASE 10 YEARS  
PROBATION \_\_\_\_\_ YEARS  
FINE \$ \_\_\_\_\_ ( ☒ ) Fine not imposed  
SPECIAL ASSESSMENT \$ 100.00 due immediately

COUNT \_\_\_\_\_ IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT ( ) CONSECUTIVE ( )  
SUPERVISED RELEASE \_\_\_\_\_ YEARS CONCURRENT ( )  
PROBATION \_\_\_\_\_ YEARS CONCURRENT ( )  
FINE \$ \_\_\_\_\_ ( ) Fine not imposed  
SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

COUNT \_\_\_\_\_ IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT ( ) CONSECUTIVE ( )  
SUPERVISED RELEASE \_\_\_\_\_ YEARS CONCURRENT ( )  
PROBATION \_\_\_\_\_ YEARS CONCURRENT ( )  
FINE \$ \_\_\_\_\_ ( ) Fine not imposed  
SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

CONSENT ORDER OF FORFEITURE MADE A PART OF JUDGMENT IN CASE ( )

RESTITUTION ORDERED: \_\_\_\_\_

RECOMMENDATION(S) TO BOP:

- ( ) Designate dft. to a facility near family ( ☒ ) Designate dft. to CALIFORNIA FCI <sup>IF vocational available</sup>  
( ☒ ) SHOCK Incarceration Program ( ) BRAVE Program  
( ☒ ) Educational / Vocational training ( ☒ ) BOP 500-hr intensive drug treatment program  
( ) UNICOR program ( ) with \_\_\_\_\_ portion of earnings directed to child support  
( ☒ ) OTHER: mental health

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**SPECIAL CONDITIONS of Probation / Supervised Release:**

- ☒ (1) Incur no new credit without approval of probation officer
- ☒ (2) Provide probation officer with access to financial information
- ☒ (3) Perform community service \_\_\_\_\_ HOURS during period of supervision
- ☒ (4) Participate in drug/alcohol treatment; PARTIAL Pay cost of treatment (IF)
- ☒ (5) Participate in mental health treatment; ☒ Pay cost of treatment
- \_\_\_\_\_ Participate in anger management
- \_\_\_\_\_ (6) Participate in home confinement program for \_\_\_\_\_ with monitoring
- \_\_\_\_\_ Permitted to work, attend church, or other approved activities
- \_\_\_\_\_ Maintain telephone without special features; no cordless phone
- \_\_\_\_\_ Pay costs of electronic monitoring
- \_\_\_\_\_ (7) Placement in a Community Confinement Center for \_\_\_\_\_ (term)
- \_\_\_\_\_ (8) Defendant to be surrendered to BICE for deportation proceedings
- \_\_\_\_\_ If deported, defendant to remain outside the United States
- \_\_\_\_\_ (10) Mandatory drug testing waived
- \_\_\_\_\_ Probation officer may still administer drug test if deemed appropriate
- \_\_\_\_\_ (11) Pay child support in amount ordered by social services or Court
- \_\_\_\_\_ (13) Serve intermittent confinement on weekends for a period of \_\_\_\_\_ DAYS
- ☒ (14) No possession of pager, cellular telephone, or other handheld communication device
- ☒ (15) Defendant shall pay any balance owed on the S/A imposed by the Court
- ☒ Pay in installments of not less than \$ 25.00 per month,
- to begin 30 60 days after start of supervision until paid in full
- ☒ (16) Waive all rights of confidentiality regarding mental health treatment
- (or other treatment) to allow release of information to Probation, etc.
- \_\_\_\_\_ (17) Commencing \_\_\_\_\_, and continuing for \_\_\_\_\_, defendant may
- operate a motor vehicle only for purposes of work and court, including travel to
- the Probation Office and alcohol treatment program
- \_\_\_\_\_ (18) Defendant to apply monies received from tax refunds, lottery winnings, and any
- anticipated or unexpected financial gains to the Court-ordered financial obligation

☒ (---) Other special conditions:

GED or VOCATIONAL SKILL